

STATE BAR OF CALIFORNIA  
CALIFORNIA RULES OF PROFESSIONAL CONDUCT

NOTICE OF PUBLIC HEARING

Friday, October 11, 2002  
State Bar Annual Meeting  
Doubletree Hotel – Monterey  
2:00 pm – 5:00 pm

The State Bar of California's Commission for the Revision of the Rules of Professional Conduct will hold a public hearing to hear comments and suggestions for amendments to the current California Rules of Professional Conduct ("California Rules"). The California Rules are rules approved by the Supreme Court, the violation of which will subject an attorney to discipline (see Bus. & Prof. Code, § 6076, §6077). The Commission has been authorized to evaluate the existing California Rules, in light of developments in the attorney professional responsibility field since the last comprehensive revision of the rules occurred in 1989 and 1992.

The hearing, one of several planned over the course of this multi-year rule revision project, will be held during the State Bar's Annual Meeting at the Doubletree Hotel in Monterey on Friday, October 11<sup>th</sup>, from 2:00 - 5:00 pm. Please complete and submit the attached registration form if you wish to testify. Speakers are encouraged to submit written comments in advance of the hearing, and no later than the hearing date. The time to testify may be limited based on the number of requests received. All efforts will be made to accommodate all requests to testify. Please be prepared to take questions from the Commission members. Please note that the hearing will run until all speakers have had an opportunity to speak, or until 5:00 pm, whichever occurs first. Generally the order of speakers will be based upon the order in which registrations are received.

Those who intend to testify and/or present written materials should contact: Lauren McCurdy, (415) 538-2107, 180 Howard Street, San Francisco, CA 94105, [lauren.mccurdy@calbar.ca.gov](mailto:lauren.mccurdy@calbar.ca.gov), no later than Monday, October 7, 2002. A current copy of the rules is available from the State Bar's website at [www.calbar.ca.gov](http://www.calbar.ca.gov) (attorney resources/rules and regulations) or by calling Lauren McCurdy.

In 2001, at the request of the State Bar Board of Governors, the Commission was reactivated to consider, along with judicial and statutory developments, the Final Report and Recommendations of the American Bar Association's Ethics 2000 Commission and the American Law Institute's Restatement of the Law Third, The Law Governing Lawyers, as well as other authorities relevant to the development of professional responsibility standards.

The Commission is specifically charged to also consider the work that has occurred at the local, state and national level with respect to Multi-Disciplinary Practice, Multi-Jurisdictional Practice, unauthorized practice of law, court facilitated in propia persona assistance, discrete task representation and to other subjects that have a substantial impact upon the development of professional responsibility standards.

The Commission is to develop, where necessary, proposed amendments to the California Rules that:

- Assure adequate protection to the public in light of developments that have occurred since the rules were last reviewed and amended in 1989 and 1992;
- Promote confidence in the legal profession and the administration of justice;
- Facilitate compliance with and enforcement of the rules by eliminating ambiguities and uncertainties in the rules; and
- Eliminate and avoid unnecessary differences between California and other states, fostering the evolution of a national standard with respect to professional responsibility issues.

Since its first meeting in September 2001, the Commission has met 6 times, and circulated the current California Rules for a 90-day public comment period seeking comments or suggestions for changes to the current California Rules. This hearing is one of many ways in which the Commission is seeking comment on the California Rules in order to evaluate the efficacy of the current California Rules and consider new rule proposals.